1	Todd A. Noah (State Bar No. 152328)	
2	Barbara L. Friedman (State Bar No. 208735) DERGOSITS & NOAH LLP	
3	One Embarcadero Center, Suite 350 San Francisco, CA 94111	
4	Telephone: (415) 705-6377	
5	Facsimile: (415) 750-6383 Email: tnoah@dergnoah.com	
6	Email: bfriedman@dergnoah.com	
7	Attorneys for Plaintiff	
8	PRO-SHORE, LLC	
9	Michelle Akerman (State Bar No. 265022)	
10	Emily M. Charley (State Bar No. 238542) HANSON BRIDGETT, LLP	
11	425 Market Street, 26th Floor San Francisco, CA 94105	
12	Telephone: (415) 995-5172	
13	Facsimile: (415) 995-3469 Email: makerman@hansonbridgett.com	
14	Email: echarley@hansonbridgett.com	
15	Attorneys for Plaintiffs	
16	PRO-SHORE, LLC, BUILD GROUP, INC. and PACIFIC STRUCTURES, INC.	
17		
18	UNITED STATES DISTRICT COURT	
19	NORTHERN DISTRICT OF CALIFORNIA	
20	SAN FRANCISCO DIVISION	
21	PRO-SHORE, LLC; BUILD GROUP, INC.;	) Case No.: 17-cv-05295 (EMC)
22	and PACIFIC STRUCTURES, INC.,	)
23	Plaintiffs,	) STIPULATION AND ORDER TO
24		) EXTEND THE DEADLINE TO FILE ) SECOND AMENDED COMPLAINT
25	v.	) SECOND AMENDED COMI LAIM
26		)
27	DAYTON SUPERIOR CORPORATION,	)
28	Defendant.	)
		_) -1-
	CTIDLII ATION AND ODDED TO EVTEND	
	STIPULATION AND ORDER TO EXTEND	Case No.: 17-cv-05295 (EMC)

DEADLINE TO FILE SECOND AMENDED COMPLAINT

On March 27, 2018, Plaintiffs Pro-Shore, LLC, Build Group, Inc. and Pacific Structures, Inc. and Defendant Dayton Superior Corporation and (collectively, the "Parties") filed a Stipulation and Order to continue the March 28, 2018 deadline date for plaintiff Pro-Shore, LLC to file a second amended complaint to April 27, 2018. The Court has not yet entered that order.

Previously, on March 23, 2018, the Court rescheduled the dates for the Parties' Joint Case Management Statement and the May 3, 2018 Initial Case Management Conference. The Parties' Joint Case Management Statement is now due on May 24, 2018 and the Initial Case Management Conference is currently scheduled for May 31, 2018 at 9:30 a.m. The Parties agreed to exchange their initial disclosures on the same day the Joint Case Management Statement is due, May 24, 2018.

The Parties hereby stipulate to continue the presumptive April 27, 2018 deadline date for plaintiff Pro-Shore, LLC to file a second amended complaint to May 31, 2018. The Parties are optimistic that they will be able to resolve their disputes without further Court intervention and the additional time will enable the Parties to meet this goal. The Parties are continuing their settlement discussions and are in the process of negotiating potential settlement documents.

Pursuant to the Court's CMC Order, the Parties, through their respective counsel, stipulate that the date for plaintiff Pro-Shore, LLC to file a second amended complaint be continued to May 31, 2018.

## IT IS SO STIPULATED.

Dated: May 9, 2018 By: /s/ Todd A. Noah

Todd A. Noah (SBN 152328)

tnoah@dergnoah.com

**DERGOSITS & NOAH LLP** 

One Embarcadero Center, Suite 350

Case No.: 17-cv-05295 (EMC)

San Francisco, CA 94111 Telephone: (415) 705-6377

Facsimile: (415) 750-6383

Attorneys for Plaintiff PRO-SHORE, LLC

-2-

1 2 3 4 5 6		Emily M. Charley (State Bar No. 238542) <a href="mailto:echarley@hansonbridgett.com">echarley@hansonbridgett.com</a> HANSON BRIDGETT, LLP 425 Market Street, 26th Floor San Francisco, CA 94105 Telephone: (415) 995-5172 Facsimile: (415) 541-9366  Attorneys for Plaintiffs PRO-SHORE, LLC, BUILD GROUP,
7		INC. AND PACIFIC STRUCTURES, INC.
8		Tve.
9	Dated: May 9, 2018	By: /s/ Katherine D. Prescott
10		Lisa Greenwald-Swire (SBN 213269) greenwald-swire@fr.com
11		Katherine D. Prescott (SBN 215496)
12		<u>prescott@fr.com</u> FISH & RICHARDSON P.C.
13		500 Arguello Street, Suite 500
14		Redwood City, California 94063
15		Telephone: (650) 839-5070 Facsimile: (650) 839-5071
16		<b>`</b>
17		Sheryl Koval Garko (appearing pro hac vice / garko@fr.com)
		FISH & RICHARDSON P.C.
18		One Marina Park Drive Boston, Massachusetts 02210-1878
19		Telephone: (617) 542-5070
20		Facsimile: (617) 542-8906
21		Vivian Cheng (appearing pro hac vice /
22		cheng@fr.com)
23		Fish & Richardson P.C. 601 Lexington Avenue
		52nd Floor, New York, NY 10022
24		Telephone: (212) 765-5070
25		Facsimile: (212) 258-2291
26		Attorneys for Defendant,
27		DAYTON SUPERIOR CORPORATION
28		
20		

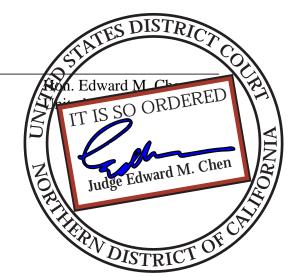
Case No.: 17-cv-05295 (EMC)

I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Katherine D. Prescott.

## /s/ Todd A. Noah

## PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: May \_\_\_\_, 2018



-4-